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84TH CONGRESS  
1ST SESSION

# H. R. 4514

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1955

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

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## A BILL

To strengthen the investigation provisions of the Commodity Exchange Act.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That the third sentence of section 6 (b) of the Commodity  
4   Exchange Act (7 U. S. C. 15) is amended to read as  
5   follows: "For the purpose of securing effective enforcement  
6   of the provisions of this Act, and for the purpose of any  
7   investigation or proceeding under this Act, the provisions,  
8   including penalties, of the Interstate Commerce Act, as  
9   amended and supplemented (49 U. S. C. 12, 46, 47, 48),  
10   relating to the attendance and testimony of witnesses, the  
11   production of documentary evidence, and the immunity of

1 witnesses, are made applicable to the power, jurisdiction,  
2 and authority of the Secretary of Agriculture (or any per-  
3 son designated by him), the commission, and any referee  
4 designated pursuant to the provisions of this Act, and to any  
5 person subject thereto.”

84TH CONGRESS  
1ST SESSION

H. R. 4514

## A BILL

To strengthen the investigation provisions of  
the Commodity Exchange Act.

By Mr. COOLEY

MARCH 1, 1955

Referred to the Committee on Agriculture





84TH CONGRESS  
1ST SESSION

# S. 1398

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## IN THE SENATE OF THE UNITED STATES

MARCH 10, 1955

Mr. YOUNG (for himself and Mr. ELLENDER) introduced the following bill;  
which was read twice and referred to the Committee on Agriculture and  
Forestry

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## A BILL

To strengthen the investigation provisions of the Commodity  
Exchange Act.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That the third sentence of section 6 (b) of the Commodity  
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8   including penalties, of the Interstate Commerce Act, as  
9   amended and supplemented (49 U. S. C. 12, 46, 47, 48),  
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11   production of documentary evidence, and the immunity of

1 witnesses, are made applicable to the power, jurisdiction,  
2 and authority of the Secretary of Agriculture (or any person  
3 designated by him), the commission, and any referee desig-  
4 nated pursuant to the provisions of this Act, and to any  
5 person subject thereto.”.

84TH CONGRESS  
1ST SESSION

**S. 1398**

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## **A BILL**

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To strengthen the investigation provisions of  
the Commodity Exchange Act.

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By Mr. YOUNG and Mr. ELLENDER

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MARCH 10, 1955

Read twice and referred to the Committee on  
Agriculture and Forestry







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued May 3, 1955  
For actions of May 2, 1955  
84th-1st, No. 71

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HIGHLIGHTS; Senate committee reported appropriation bill which includes Forest Service items. House conferees were appointed on USDA appropriation bill. House committee ordered reported bills to donate flour and meal to needy, repeal REA State formula, give CEA subpoena power, authorize land banks to purchase FFMC assets. Senate debated trade agreements bill. Sen. Clements commended tobacco referendum results and spoke in favor of 90% price supports. Sen. Humphrey urged farmers to continue wheat quotas and criticized flexible price supports. Sen. Martin, Pa., introduced and discussed bill to provide more State participation in water projects.

## HOUSE

1. AGRICULTURAL APPROPRIATION BILL, 1956. Reps. Whitten, Marshall, Deane, Natcher, Cannon, Andersen, Horan, Vursell, and Taber were appointed House conferees on this bill, H. R. 5239 (p. 4522). The conferees met but did not complete their work (p. D361).
2. SURPLUS COMMODITIES. The Agriculture Committee ordered reported (with an amendment in the nature of a substitute) H. R. 2851, providing for HEW to purchase flour and meal from USDA and donate it to the needy (p. D359).
3. PERSONNEL. Passed without amendment H. R. 3948, to remove the limitation that uniform allowances may be provided only to those who were required to wear uniforms when the Federal Employees Uniform Allowance Act was passed in 1954 (p. 4527). This bill will now be sent to the President.  
Rep. Pelly spoke in favor of immediate passage of a classified pay raise bill (p. 4525).
4. FORESTRY. Passed without amendment H. R. 2679, to protect scenic values along Oak Creek Canyon in Coconino National Forest, Ariz. (p. 4527). A companion bill, S. 52, has been reported in the Senate.



5. WATER RESOURCES. Passed as reported H. R. 208, consenting to a compact between Ark. and Okla. regarding Arkansas River waters (p. 4529). This bill had been reported earlier in the day with amendment (H. Rept. 463)(p. 4534).
6. ~~RURAL ELECTRIFICATION; COMMODITY EXCHANGES; FARM CREDIT~~. On Apr. 29 the Agriculture Committee voted to report H. R. 5376, ~~to repeal the State allotment formula for REA; H. R. 4514, to authorize subpoenas under the Commodity Exchange Act; and S. 941, to authorize the Federal land banks to purchase certain remaining assets of the Federal Farm Mortgage Corporation~~ (p. D359).
7. LAND TRANSFER. The Agriculture Committee ordered reported H. R. 1762, to direct sale of a tract of ARS land to Woodward, Okla. (p. D359).
8. BANKING AND CURRENCY. Both Houses received a message from the President recommending U. S. membership in the International Finance Corporation (H. Doc. 152); to Banking and Currency Committees (pp. 4522-3, 4516).
9. COOPERATIVES. Rep. Mason spoke in favor of H. R. 141, to amend the Capper-Volstead Act so as to provide for antitrust actions against large farmer cooperatives under certain circumstances (p. 4533).
10. FHA AUDIT. Received from the Comptroller General a report on the audit of the Farmers' Home Administration; (to Government Operations Committee (p. 4534).
11. CHEESE. Rep. Johnson, Wis., announced that Wisconsin cheese would be served in the Capitol dining rooms (pp. 4524-5).

SENATE

12. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL FOR 1956. The Appropriations Committee reported with amendments this bill, H. R. 5085 (S. Rept. 261)(p. 4472). Attached is a table showing actions relating to FS and ARS. In addition, the committee added \$100,000 for weed control by the Bureau of Land Management. The bill also includes \$400,000 for salt-water research and \$390,000 for the Virgin Islands Corporation. Majority Leader Johnson indicated that the bill will probably be debated this week (pp. 4517-8, 4520).
13. TRADE AGREEMENTS. Began debate on H. R. 1, the trade agreements extension bill; adopted all committee amendments (See Digest 68) en bloc; agreed that the bill, as so amended, would be considered as original text for the purpose of further amendment; and adopted a technical, clarifying amendment by Sen. Byrd (pp. 4489-90, 4493-4510, 4512-20).  
During debate on this bill Senators Byrd and Thye discussed the provisions to impose quotas on agricultural products under sec. 22 of the Agricultural Adjustment Act (pp. 4497-8), Sen. Robertson stated that the cotton-textile industry has little to fear from enactment of the bill (pp. 4506-8), and Sen. Mansfield stated that one of the most important answers to the agricultural surplus problem is an expanded foreign market (pp. 4513-6).
14. TOBACCO ALLOTMENTS; PRICE SUPPORTS. Sen. Clements stated that the results of the burley tobacco referendum demonstrate "an overwhelming acceptance by the growers of further reductions in acreage," and spoke in favor of 90% price supports on basic commodities (pp. 4483-4). Sen. Barkley commended the burley tobacco farmers on "this magnificent vote" for reduced acreage allotments (pp. 4483-4).







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued  
For actions of

May 5, 1955  
May 4, 1955  
84th-1st, No. 73

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Farm credit.....14	Prices, support....1,9,26	Treaties.....15
Family farm.....14	Property.....8	Water.....3
Farm program.....29	Purchasing.....7	Wheat.....18
Forestry.....11,17		

HIGHLIGHTS: House debated price support bill, agreeing to amendment making peanuts nonbasic. House committee reported bill for Federal cooperation in non-Federal reclamation projects. House subcommittee approved measure for USDA study of burley tobacco program. Senate passed trade agreements bill. Senate made Interior appropriation bill, which includes FS items, its pending business. Senate committee reported bills to give CEA subpoena power and protect purchasers of fungible goods from CCC claims.

## HOUSE

1. PRICE SUPPORTS. Continued debate on H. R. 12, the price support bill (pp. 4699-725, A2986-7). By a teller vote of 186-150, agreed to an amendment by Rep. Green, Pa., to eliminate peanuts from the list of basic commodities and to repeal legislation for peanut allotments (pp. 4699-713).
2. RECLAMATION; LOANS. The Interior and Insular Affairs Committee reported without amendment H. R. 5881, to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects (H. Rept. 481)(p. 4727).
3. SALT-WATER RESEARCH. The Rules Committee reported a resolution for consideration of H. R. 2126, to expand the Interior Department's salt-water research program (p. 4699).
4. TOBACCO. A subcommittee approved for reporting to the Agriculture Committee S. J. Res. 60, directing USDA to study and report on burley tobacco controls (p. D374).
5. COPPER IMPORTS. The Ways and Means Committee reported without amendment H. R. 5695, to continue through June 1958 the suspension of certain import taxes on copper (H. Rept. 485)(p. 4727).

6. REORGANIZATION. The Government Operations Committee reported without amendment S. 1763, to extend the time for liquidation of the Hoover Commission (H. Rept. 482)(p. 4727).
7. PURCHASING. The Government Operations Committee submitted a report, "Federal Catalog Program Report — Identification and Conversion" (H.Rept.483)(p.4727).
8. PROPERTY AND ADMINISTRATIVE SERVICES. Received from GSA a proposed bill "to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes"; to Government Operations Committee (p. 4727).
9. LEGISLATIVE PROGRAM. Majority Leader McCormack announced the legislative program as follows: Today (Thurs.), price-support and reserve-manpower bills; Fri. and Sat., not in session; Mon., conference report on postal pay bill, and statehood bill (p. 4725).

#### SENATE

10. TRADE AGREEMENTS. Passed, 75-13, with amendments H. R. 1, to extend to June 30, 1958 the authority of the President to enter into trade agreements (pp. 4732-4851). Sens. Byrd, George, Gore, Millikin, and Martin were appointed Senate conferees on this bill (pp. 4850-1).  
During debate on this bill Sen. Langer stated that the Trade Agreements Act "has proved disastrous to the farmers of the Nation"; that his reasons for voting against extension of this Act are set forth in the hearings held before the Subcommittee on Antitrust and Monopoly, Senate Judiciary Committee, on importations of rye and barley; and inserted the transcript of these hearings (pp. 4826-50).  
Sen. Malone discussed and inserted a GATT nations' "Decision to Grant a Waiver to the U. S. in Connection with Import Restrictions Imposed Under Section 22 of the U. S. Agricultural Adjustment Act of 1933, as Amended" (pp. 4747-8).
11. INTERIOR AND RELATED AGENCIES APPROPRIATION BILL FOR 1956. This bill, H. R. 5085, was made the pending business (pp. 4851, 4853).
12. COMMODITY EXCHANGES; ~~CCC CLAIMS~~. The Agriculture and Forestry Committee reported without amendment S. 1398, to authorize subpoenas under the Commodity Exchange Act (S. Rept. 268); ~~and with amendment H. R. 1831, to amend the CCC Charter Act in order to protect innocent purchasers of fungible goods converted by warehousemen from claims of the CCC (S. Rept. 270) (p. 4730).~~
13. ANIMAL DISEASE. The Agriculture and Forestry Committee reported without amendment S. 1133, to provide for certain indemnity payments in Iowa on account of vesicular exanthema which could not be made because of a technicality (p. 4730).
14. COMMITTEES. The chairman, Agriculture and Forestry Committee, was authorized to appoint subcommittees to consider the following bills: S. 1286, Farm Credit Act of 1955; S. 1636, use of humane methods in slaughter of livestock and poultry in interstate or foreign commerce; and S. J. Res. 20, to preserve and strengthen the family-farm pattern of American agriculture (p. D372).
15. ROADS; TREATIES. Received resolutions urging enactment of legislation for the rapid completion of the Interstate System of Highways, and favoring the enactment of the Bricker amendment to limit the President's treaty-making power (p. 4729).



STRENGTHENING THE INVESTIGATION PROVISIONS OF  
THE COMMODITY EXCHANGE ACT

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MAY 4 (legislative day, MAY 2), 1955.—Ordered to be printed

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Mr. YOUNG, from the Committee on Agriculture and Forestry, submitted the following

## R E P O R T

[To accompany S. 1398]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1398) to strengthen the investigation provisions of the Commodity Exchange Act, having considered the same, report thereon with a recommendation that it do pass without amendment.

The purpose of the bill is to strengthen the Commodity Exchange Act by extending the subpoena power (now available for "proceedings") to investigations.

The bill is identical to the first section of S. 1990 passed by the Senate last session of Congress.

## DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,  
*Washington 25, D. C., April 27, 1955.*

HON. ALLEN J. ELLENDER,  
*Chairman, Committee on Agriculture and Forestry,*  
*United States Senate.*

DEAR SENATOR ELLENDER: This is in reply to your letter of March 11, with which you referred S. 1398 for consideration and report.

The Department recommends the enactment of S. 1398.

The bill proposes to amend the Commodity Exchange Act, as amended, by authorizing the issuance of subpoenas incident to the conduct of investigations necessary in the administration of the act. Such authority would enable the Department to subpoena witnesses and records without first having to conduct extended investigations with subsequent issuance of official complaints necessitating formal administrative proceedings. The authority proposed by S. 1398 would be of great help to the Department in facilitating investigations under the Commodity Exchange Act. The absence of such authority, exercised by other regulatory agencies, has proved a severe handicap in the enforcement of regulatory provisions of the statute.

The Department believes that the enactment of this bill would not require any additional appropriation.

The provisions of S. 1398 are identical with those of section 1 of S. 1990, 83d Congress, which was passed by the Senate on February 9, 1954.

The Budget Bureau advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,  
*Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

#### COMMODITY EXCHANGE ACT, AS AMENDED

##### SEC. 6. \* \* \*

(b) If the Secretary of Agriculture has reason to believe that any person (other than a contract market) is violating or has violated any of the provisions of this Act, or any of the rules and regulations made pursuant to its requirements, or has manipulated or is attempting to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any board of trade, he may serve upon such person a complaint stating his charges in that respect, to which complaint shall be attached or contained therein a notice of hearing, specifying a day and place not less than three days after the service thereof, requiring such person to show cause why an order should not be made directing that all contract markets until further notice of the Secretary of Agriculture refuse all trading privileges to such person, and to show cause why the registration of such person, if registered as futures commission merchant or as floor broker hereunder, should not be suspended or revoked. Said hearing may be held in Washington, District of Columbia, or elsewhere, before the Secretary of Agriculture or before a referee designated by the Secretary of Agriculture, which referee shall cause all evidence to be reduced to writing and forthwith transmit the same to the Secretary of Agriculture. **[That for]** *For the purpose of securing effective enforcement of the provisions of this Act, and for the purpose of any investigation or proceeding under this Act, the provisions, including penalties, of the Interstate Commerce Act, as amended and supplemented ([U. S. C., 1934 ed., title 49, secs. 12, 46, 47, and 48] 49 U. S. C. 12, 46, 47, 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture (or any person designated by him), the [said] commission, and [said referee in proceedings under] any referee designated pursuant to the provisions of this Act, and to persons subject [to its provisions] thereto.*



Calendar No. 272

84TH CONGRESS  
1ST SESSION

# S. 1398

[Report No. 268]

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## IN THE SENATE OF THE UNITED STATES

MARCH 10, 1955

Mr. YOUNG (for himself and Mr. ELLENDER) introduced the following bill:  
which was read twice and referred to the Committee on Agriculture and  
Forestry

MAY 4 (legislative day, MAY 2), 1955

Reported by Mr. YOUNG, without amendment

---

## A BILL

To strengthen the investigation provisions of the Commodity  
Exchange Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the third sentence of section 6 (b) of the Commodity  
4       Exchange Act (7 U. S. C. 15) is amended to read as  
5       follows: "For the purpose of securing effective enforcement  
6       of the provisions of this Act, and for the purpose of any  
7       investigation or proceeding under this Act, the provisions,  
8       including penalties, of the Interstate Commerce Act, as  
9       amended and supplemented (49 U. S. C. 12, 46, 47, 48),  
10      relating to the attendance and testimony of witnesses, the  
11      production of documentary evidence, and the immunity of

1 witnesses, are made applicable to the power, jurisdiction,  
 2 and authority of the Secretary of Agriculture (or any person  
 3 designated by him), the commission, and any referee desig-  
 4 nated pursuant to the provisions of this Act, and to any  
 5 person subject thereto.”.

Calendar No. 272

84TH CONGRESS  
1ST SESSION

**S. 1398**

[Report No. 268]

# **A BILL**

To strengthen the investigation provisions of  
the Commodity Exchange Act.

By Mr. YOUNG and Mr. ELLENDER

MARCH 10, 1955

Read twice and referred to the Committee on  
Agriculture and Forestry

MAY 4 (legislative day, MAY 2), 1955

Reported without amendment







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

Issued May 10, 1955  
For actions of May 9, 1955  
84th-1st, No. 75

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Education.....13,25	Postal pay.....8	Transportation.....20
Electrification.....10,34		

HIGHLIGHTS: Senate passed bills to: give CEA subpoena power; protect innocent purchasers of fungible goods from CCC claims; authorize inter-agency fire protection agreements. Senate subcommittee approved bill limiting interest on disaster loans to 3%. House sent Interior appropriation bill (which includes FS items) to conference; debated Hawaii-Alaska statehood bill. House committee reported bills to give CEA subpoena power; authorize land banks to purchase FFMC assets, and repeal REA State formula. Sen. Allett introduced and discussed emergency loans bill. Sen. Smathers intr. and discussed bill to carry out recommendations of President's transportation committee.

### SENATE

1. COMMODITY EXCHANGES. Passed without amendment S. 1398, to provide subpoena power to the Commodity Exchange Authority (pp. 4987-8).
2. CCC CLAIMS. Passed as reported H. R. 1831, to protect innocent purchasers of fungible goods converted by warehousemen from CCC claims (pp. 4988-9).
3. FOREST FIRES. Passed as reported S. 1006, to authorize the execution of agreements between agencies of the U. S. and other agencies and instrumentalities for mutual aid in fire protection (p. 4990).
4. PUBLIC LANDS. Passed as reported S. 265, to amend the acts authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such acts to 320 acres (p. 4987).  
Passed without amendment S. 748, to prohibit the U. S. from acquiring mineral interests in lands acquired by it except when necessary to serve the purpose for which such lands are acquired (pp. 4986-7).
5. ANIMAL DISEASE. Passed without amendment S. 1133, to authorize USDA to pay indemnity for losses and expenses incurred during July 1954 in Iowa in connection with vesicular exanthema (p. 4988).

6. RECORDS. Passed without amendment S. 1007, to authorize GSA to establish a central depository for inter-state agreements (p. 4989).
7. FARM LOANS. On May 6 (during Senate recess) a subcommittee of the Agriculture and Forestry Committee approved for reporting to the full committee S. 1755, to reduce interest rates from 5% to 3% on disaster loans (p. D386).
8. RECESSED until Wed., May 11. Majority Leader Johnson stated that the postal pay bill may be considered Wed. and that the roads bill may be considered later in the week. (p. 4993.)

#### HOUSE

9. INTERIOR DEPARTMENT AND RELATED AGENCIES APPROPRIATION BILL FOR 1956. Reps. Kirwan, Norrell, Sieminski, Magnuson, Jensen, Fenton, Scrivner, and Taber were appointed conferees on this bill, H. R. 5085 (p. 4994). Senate conferees have been appointed.
10. ~~RURAL ELECTRIFICATION; COMMODITY EXCHANGES; FARM CREDIT.~~ The Agriculture Committee reported without amendment ~~H. R. 5376, to repeal the State allotment formula for REA (H. Rept. 547); H. R. 4514, to authorize subpoenas under the Commodity Exchange Act (H. Rept. 552); and S. 941, to authorize the Federal land banks to purchase certain remaining assets of the Federal Farm Mortgage Corporation (H. Rept. 550) (p. 5029).~~
11. FIRE PROTECTION. The Government Operations Committee reported without amendment H. R. 6015, to authorize the execution of agreements between agencies of the U. S. and other agencies and instrumentalities for mutual aid in fire protection (H. Rept. 549) (p. 5029).
12. PERSONNEL. The Judiciary Committee reported without amendment H. R. 5650, to provide for the settlement of claims of military personnel and civilian employees of the Federal Government for damage to, or loss, destruction, capture, or abandonment of personal property occurring incident to their service (H. Rept. 553) (p. 5029).
13. CIVIC AUDITORIUM. Passed as reported H. R. 1825, creating a commission to plan a D. C. civic auditorium (pp. 5009-13).
14. STATEHOOD. Began debate on H. R. 2535, the Alaska-Hawaii statehood bill (pp. 5013-24).
15. POTATOES. Received a Maine Legislature memorial recommending an investigation of the Mercantile Exchange for the purpose of providing greater stability in the potato industry (p. 5031).

#### BILLS APPROVED BY THE PRESIDENT

16. RICE ALLOTMENTS. H. R. 4647, which increases each 1955 State rice acreage allotment by 2%, provides each State with a 1955 rice allotment at least equal to its 1950 allotment, provides each county whose base acreage for 1955 exceeded by at least 2% its base acreage for 1950 with a 1955 rice allotment at least equal to its 1950 allotment, and increases each State reserve for new producers and new farms to a minimum of 500 acres. Approved May 5, 1955 (Public Law 29, 84th Cong.).



## SUBPENA POWER FOR COMMODITY EXCHANGE AUTHORITY

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MAY 9, 1955.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. COOLEY, from the Committee on Agriculture, submitted the  
following

### R E P O R T

[To accompany H. R. 4514]

The Committee on Agriculture, to whom was referred the bill (H. R. 4514) to strengthen the investigation provisions of the Commodity Exchange Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### STATEMENT

The purpose of this bill is to confer on the Commodity Exchange Authority of the Department of Agriculture authority for the use of subpoenas in the conduct of its investigations similar to the authority available to virtually all the other regulatory agencies of the Government.

The Commodity Exchange Authority is the agency of the Department which administers the provisions of the Commodity Exchange Act with respect to supervision over and regulation of the trading in commodity futures. The scrutiny of books and records and the investigation of activities in the futures markets are important parts of its operation, but at the present time the Authority does not have the power to issue subpoenas until it has conducted sufficient investigation without that power to issue an official complaint and begin formal administrative proceedings.

This bill will remedy this obvious weakness in adequate administration of the Commodity Exchange Act by giving the Authority subpoena power in the performance of its duties identical with that authorized by the Interstate Commerce Act for the Interstate Commerce Commission.

All the witnesses at the hearing on the bill appeared in favor of its enactment and the committee knows of no opposition to it. Following is the favorable report of the Department of Agriculture.

DEPARTMENT OF AGRICULTURE,  
Washington, D. C., April 27, 1955.

Hon. HAROLD D. COOLEY,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR CONGRESSMAN COOLEY: This is in response to the telephone request today by the clerk of the Committee on Agriculture that a report be submitted today with respect to H. R. 4514.

The Department recommends the enactment of H. R. 4514.

The bill proposes to amend the Cominodity Exchange Act, as amended, by authorizing the issuance of subpoenas incident to the conduct of investigations necessary in the administration of the act. Such authority would enable the Department to subpoena witnesses and records without first having to conduct extended investigations with subsequent issuance of official complaints necessitating formal administrative proceedings. The authority proposed by H. R. 4514 would be of great help to the Department in facilitating investigations under the Commodity Exchange Act. The absence of such authority, exercised by other regulatory agencies, has proved a severe handicap in the enforcement of regulatory provisions of the statute.

The Department believes that the enactment of this bill would not require any additional appropriation.

The Budget Bureau advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

#### CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets; new matter is in italics; existing law in which no change is proposed is shown in roman):

#### COMMODITY EXCHANGE ACT (7 U. S. C. 1-17A)

\* \* \* \* \*

SEC. 6 (b) (7 U. S. C. 15) [For the purpose of securing effective enforcement of the provisions of this chapter, the provisions, including penalties, of sections 12 and 46-48 of Title 49, as amended and supplemented relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture, the said commission, and said referee in proceedings under this chapter, and to persons subject to its provisions.] *For the purpose of securing effective enforcement of the provisions of this Act, and for the purpose of any investigation or proceeding under this Act, the provisions, including penalties, of the Interstate Commerce Act, as amended and supplemented (49 U. S. C. 12, 46, 47, 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction and authority of the Secretary of Agriculture (or any person designated by him), the commission, and any referee designated pursuant to the provisions of this Act, and to any person subject thereto.*

84TH CONGRESS  
1ST SESSION

# H. R. 4514

[Report No. 552]

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 1955

Mr. COOLEY introduced the following bill; which was referred to the Committee on Agriculture

MAY 9, 1955

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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## A BILL

To strengthen the investigation provisions of the Commodity Exchange Act.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the third sentence of section 6 (b) of the Commodity  
4       Exchange Act (7 U. S. C. 15) is amended to read as  
5       follows: "For the purpose of securing effective enforcement  
6       of the provisions of this Act, and for the purpose of any  
7       investigation or proceeding under this Act, the provisions,  
8       including penalties, of the Interstate Commerce Act, as  
9       amended and supplemented (49 U. S. C. 12, 46, 47, 48),  
10      relating to the attendance and testimony of witnesses, the  
11      production of documentary evidence, and the immunity of

1 witnesses, are made applicable to the power, jurisdiction,  
2 and authority of the Secretary of Agriculture (or any per-  
3 son designated by him), the commission, and any referee  
4 designated pursuant to the provisions of this Act, and to any  
5 person subject thereto.”

Union Calendar No. 141

84TH CONGRESS  
1ST Session

**H. R. 4514**

[Report No. 552]

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## **A BILL**

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ing mineral interests in lands acquired by it except when necessary to serve the purpose for which such lands are acquired.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. LONG. Mr. President, this bill would merely fix the policy of the Federal Government with regard to the taking and expropriation of mineral rights belonging to citizens. In many instances the Government has unnecessarily condemned and expropriated such mineral rights. The bill provides that the Government shall take the mineral rights of citizens only when the Government finds it necessary to do so, or when the use to which the Government intends to put the land would be impracticable or infeasible if the Government did not take the mineral rights.

In the past a considerable number of complaints have been made, in most instances by citizens who, on the basis of good legal advice, have taken the precaution to protect their mineral rights when the Government has sought to acquire their land. It is unfortunately true, however, that many persons who have not had legal advice did not resist the taking of their mineral rights, and therefore in many instances, the Federal Government has unnecessarily deprived them of their mineral rights.

As a matter of fact, Mr. President, the Federal Government now owns more than 25 percent of all the land in the United States, and it already has mineral rights to all the submerged lands of the Continental Shelf. Therefore, in most cases, there is no real need for the Federal Government to condemn or to expropriate mineral rights of citizens. The pending bill sets forth the conditions under which the Federal Government may take mineral rights if it finds it to be necessary to do so.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That (a) except as provided in section 2, whenever the United States acquires any land, by any means whatsoever, it shall not acquire any mineral rights or interests in or in connection with such land.

(b) Except as provided in section 2, every deed conveying land to the United States which is executed after the date of enactment of this act pursuant to negotiations carried on, and a consideration agreed upon, after such date shall contain a specific reservation of all mineral interests in such land to the transferor thereof. The provisions of subsection (a) shall be effective notwithstanding that any such deed does not contain the reservation required by this subsection.

(c) Except as provided in section 2, every judgment in proceedings for condemnation of land instituted by the United States after the date of enactment of this act shall contain a specific reservation of all mineral interests in such land to the defendant in such proceedings. The provisions of subsection

(a) shall be effective notwithstanding that any such judgment does not contain the reservation required by this subsection.

SEC. 2. (a) The provisions of the first section of this act shall not apply to the acquisition by the United States of mineral interests in and to land acquired by the United States in any case in which the head of the department, agency, instrumentality, or independent establishment acquiring such land determines, and the deed or the judgment in proceedings for condemnation of such land recites, that—

(1) the acquisition of such mineral interests is necessary to serve the purpose for which the land is being acquired; or

(2) the national security requires that the United States own all right, title, and interest, including mineral interests, in and to the land being acquired; or

(3) the use to which the United States intends to put such land renders its development for mineral purposes infeasible.

(b) Nothing contained in this act shall be construed to alter or amend any provision of the Atomic Energy Act of 1954.

SEC. 3. As used in this act, the term "United States" includes all departments, agencies, instrumentalities, and independent establishments of the Government of the United States.

#### INCREASE OF LIMITATION WITH RESPECT TO DESERT LANDS UNDER THE NONMINERAL LAND LAWS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 254, S. 265.

The PRESIDING OFFICER. The Secretary will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 265) to amend the acts authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such acts to 320 acres.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 7, after the word "who", to insert "prior to the date of approval of this act"; in line 12, after the word "of", to strike out "this act" and insert "such acts, as hereby amended", and at the beginning of line 18, to strike out "July 17, 1914," and insert "June 28, 1934", so as to make the bill read:

*Be it enacted, etc.,* That the first section of the act entitled "An act to provide for agricultural entries on coal lands," approved June 22, 1910 (36 Stat. 583), is amended by deleting the following: "no desert entry made under the provisions of this act shall contain more than 160 acres, and."

SEC. 2. The first section of the act entitled "An act to provide for agricultural entry of lands withdrawn, classified, or reported as containing phosphate, nitrate, potash, oil, gas, or asphaltic minerals," approved July 17, 1914 (38 Stat. 509), is amended by deleting the follows: "; but no desert entry made under the provisions of this act shall contain more than 160 acres."

SEC. 3. Any person who, prior to the date of approval of this act, has made a valid desert-land entry on lands subject to such act of June 22, 1910, or of July 17, 1914, may,

if otherwise qualified, enter as a personal privilege, not assignable, an additional tract of desert land subject to the provisions of such acts, as hereby amended, and section 7 of the act entitled "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes," approved June 28, 1934, as amended (48 Stat. 1269; 1272; 43 U. S. C., sec. 315f). Such additional tract shall not, together with the original entry, exceed 320 acres. The holder of an additional entry authorized under this section shall comply with all the requirements of the desert-land law on the lands embraced by such additional entry.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. BARRETT. Mr. President, last year the Senate passed a bill similar to the pending bill, but the House of Representatives failed to take action on it. I hope that if this bill is passed by the Senate, it will receive favorable consideration by the House.

The purpose of the bill is to bring about conformity with regard to three different laws affecting nonmineral desert-homestead entries. Under the act of 1877, such entries may be made for a total of not more than 320 acres. However, under the acts of June 22, 1910, and July 17, 1914, only 160 acres are permitted under desert entries.

The pending bill would make entries of 320 acres possible on a uniform basis under each of those laws. The minerals are reserved under each act.

The bill will not affect in any way the provisions of the Reclamation Act regarding acreage limitations.

The bill has the approval of the Secretary of the Interior, and of the Bureau of the Budget, and it was unanimously reported by the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STRENGTHENING OF INVESTIGATION PROVISIONS OF THE COMMODITY EXCHANGE ACT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 272, S. 1398.

The PRESIDING OFFICER. The Secretary will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1398) to strengthen the investigation provisions of the Commodity Exchange Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.



The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to ask the Senator from Louisiana to give a brief explanation of S. 1398, the pending bill.

Mr. ELLENDER. Mr. President, the purpose of the bill is to permit witnesses to be subpoenaed for the purpose of investigations under the Commodity Exchange Act. At present witnesses may be subpoenaed for the purpose of proceedings, but not investigations. This additional authority would strengthen administration of the Commodity Exchange Act, and in some cases might make the institution of formal proceedings unnecessary. The substance of this bill was included in S. 1990, which was considered and passed by the Senate in the last session of Congress.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the third sentence of section 6 (b) of the Commodity Exchange Act (7 U. S. C. 15) is amended to read as follows: "For the purpose of securing effective enforcement of the provisions of this act, and for the purpose of any investigation or proceeding under this act, the provisions, including penalties, of the Interstate Commerce Act, as amended and supplemented (49 U. S. C. 12, 46, 47, 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture (or any person designated by him), the commission, and any referee designated pursuant to the provisions of this act, and to any person subject thereto."

#### INTERSTATE COMPACT TO CONSERVE OIL AND GAS

Mr. DOUGLAS. Mr. President, I should like to ask the Senator from Texas if it is his intention to call up today Order No. 271, Senate Joint Resolution 38, consenting to an interstate compact to conserve oil and gas?

Mr. JOHNSON of Texas. No; that joint resolution was passed over at the request of the Senator from Illinois.

Mr. DOUGLAS. I should like to propose an amendment to the bill. If the amendment is satisfactory and can be agreed to, I shall not interpose an objection.

Mr. JOHNSON of Texas. The majority leader did not plan to move to have the Senate proceed to the consideration of that bill at this time. If the Senator from Illinois will discuss his amendment with the Senator from Louisiana [Mr. Long], who reported the bill, it may be possible to consider the bill later today, provided it is not controversial.

Mr. DOUGLAS. Very well.

#### INDEMNITY FOR LOSSES CAUSED BY DESTRUCTION OF SWINE AND SWINE CARCASSES

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 273, S. 1133.

The PRESIDING OFFICER. The Secretary will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1133) to authorize the Secretary of Agriculture to pay indemnity for losses and expenses incurred during July 1954, in the destruction, treatment, or processing, under authority of law, of swine and swine carcasses infected with vesicular exanthema.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. HICKENLOOPER. Mr. President, I merely wish to call attention to the fact that the bill authorizes the Federal Government to participate with the State of Iowa in paying indemnities for certain swine which were killed prior to the authorization which the State of Iowa eventually gave for its participation in the program. That authorization was given at the present session of the legislature of Iowa. It is necessary to pass the pending bill in order to authorize the participation of the Federal Government.

So far as the Federal Government is concerned, the amount of money involved is approximately \$30,000, which is about half the total of about \$60,000. In other words, the Federal Government would pay half the cost and the State of Iowa would pay the other half.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted,* That the Secretary of Agriculture is authorized and directed to indemnify in an amount equal to 50 percent, but not exceeding the indemnity paid by the State in which such losses and expenses were incurred by all persons whose swine, swine carcasses, and products derived from swine carcasses were destroyed, treated, or processed, under authority of law, in July 1954, as a result of having been infected with or exposed to the contagious disease known as vesicular exanthema.

SEC. 2. The payment of indemnities under the provisions of this act shall be limited, in the absence of Federal appraisal, to those losses and expenses where required proof of such losses and expenses has been made to the State in which such losses and expenses were incurred and 50 percent of such loss and expense has been paid by such State.

SEC. 3. Payments made pursuant to the provisions of this act shall be made from funds currently available to the Department of Agriculture.

#### EXEMPTION FROM PAYMENT OF INCOME TAXES TO MEMBERS OF ARMED FORCES HELD AS PRISONERS BY COMMUNISTIC-CONTROLLED AUTHORITIES—BILL INDEFINITELY POSTPONED

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Senate bill 1653, for the relief of members of the Armed Forces in respect to payment of income taxes while held as prisoners by Communistic-controlled authorities, be indefinitely postponed for the reason that there has been other proposed legislation introduced in both Houses which is now pending before the appropriate committees.

The PRESIDING OFFICER. Without objection, Senate bill 1653 is indefinitely postponed.

#### PROTECTION OF INNOCENT PURCHASERS OF FUNGIBLE GOODS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 274, House bill 1831.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 1831) to amend the Commodity Credit Corporation Charter Act in order to protect innocent purchasers of fungible goods converted by warehousemen from claims of the Commodity Credit Corporation.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 9, after the word "warehouseman", to insert "or other dealer"; in line 10, after the word "was", to strike out "also" and insert "regularly engaged"; on page 2, line 4, after the word "the", to strike out "warehouseman" and insert "seller"; in line 7, after the word "the", to strike out "warehouseman's" and insert "seller's"; and in line 8, after the word "goods", to insert "To be entitled to relief under this section a buyer must assert as an affirmative defense and establish by a preponderance of the evidence the facts necessary to entitle him to such relief."

The amendments were agreed to.

Mr. ELLENDER. Mr. President, this bill would relieve innocent purchasers of fungible goods from claims of the Commodity Credit Corporation for conversion, where the purchase was made for value in good faith and in the ordinary course of business from a person regularly engaged in the buying and selling of such goods. It covers existing claims, which amount to approximately \$3½ million, as well as possible future claims.

The bill provides a special rule for the Corporation not applicable to other depositors of grain, because the facts appear to require a special rule. The Corporation has in storage extensive quantities of grain, the amount far surpassing that stored by any other depositor.







7. One hundred and fifty-eight degrees six minutes seventy-two feet along L. C. Aw. 7296 to Puhā along stone wall;

8. Two hundred and sixty degrees thirty-six minutes ninety and seven-tenths feet along stone wall;

9. One hundred and ninety-four degrees ten minutes sixty-two and nine-tenths feet along stone wall along L. C. Aw. 7295 and 6979-B:2 to Keolawa;

10. One hundred and seventy-five degrees fifty-four minutes twenty-six and nine-tenths feet along stone wall;

11. Two hundred and fifteen degrees thirty-seven minutes forty-seven and four-tenths feet along stone wall along remainder of L. C. Aw. 11216:34 to M. Kekauonohi;

12. One hundred and seventy-two degrees twenty-eight minutes forty-eight and one-tenth feet along same;

13. Two hundred and twenty-six degrees twenty-three minutes two hundred twenty-eight and eight-tenths feet along remainder of L. C. Aw. 11216:34 to M. Kekauonohi to the south side of fifty-foot road;

14. Two hundred and sixty-four degrees fifty-one minutes one hundred fifteen and two-tenths feet along the south side of fifty-foot road;

15. Two hundred and fifty-two degrees thirteen minutes two hundred and two-tenths feet along same;

16. Two hundred and eighty-six degrees thirty minutes one hundred seventy and nine-tenths feet along same;

17. Two hundred and thirty-eight degrees twenty-five minutes ninety-two and eight-tenths feet along same;

18. Two hundred and twenty-three degrees one minute one hundred fourteen and four-tenths feet along same;

19. Three hundred and thirty-eight degrees forty-nine minutes thirty seconds four thousand nine hundred eighty and three-tenths feet along the remainder of L. C. Aw. 11216:34 to M. Kekauonohi and L. C. Aw. 7712:1 to M. Kekuanaoa and passing over a one and one-fourth-inch pipe in concrete monument at one thousand four hundred eighty-one and six-tenths feet to the point of beginning.

Area, one hundred sixty-six and ninety one-hundredths acres.

#### PARCEL 2

Being portions of L. C. Aw. 11216 Apana 34 to M. Kekauonohi, R. P. 7874 (Ahupuaa of Honaunau).

Beginning at a pipe in concrete at the northeast corner of this parcel, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being two thousand one hundred thirty-nine feet south and eleven thousand six hundred seventeen and nine-tenths feet east and running by azimuths measured clockwise from true south:

1. Three hundred fifty-eight degrees twenty-three minutes two hundred sixty and four-tenths feet along the remainder of L. C. Aw. 11216:34 to M. Kekauonohi;

2. Ninety-three degrees thirty minutes two hundred and sixty-nine feet along the same, along stone wall, along lot 2 of the subdivision by B. P. Bishop estate;

3. Eighty-two degrees no minutes three hundred and eighteen feet along same to the east side of fifty-foot road;

4. Thence along the east side of fifty-foot road, the direct azimuth and distance being: one hundred seventy-one degrees twenty minutes two hundred ninety-one and five-tenths feet;

5. Two hundred and seventy degrees no minutes six hundred and twenty feet along the remainder of L. C. Aw. 11216:34 to M. Kekauonohi to the point of beginning.

Area, three and seventy one-hundredths acres.

Together with an easement six feet wide for a pipeline right-of-way extending from the Government road to parcel 1, the south side of said right-of-way being described as follows:

Beginning at the east end of this right-of-way on the common boundary of the lands of Honaunau and Keokea, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being three thousand one hundred ninety and eight-tenths feet south and eleven thousand seventy-eight and eight-tenths feet east, and running by azimuths measured clockwise from true south:

1. Eighty degrees thirty-six minutes five seconds one hundred and seventeen feet along L. C. Aw. 7712:1 to M. Kekuanaoa, to the Triangulation Station "Ahupuaa" of the B. P. Bishop estate;

2. Eighty-two degrees twenty minutes seven thousand two hundred eighty-nine and one-tenth feet along same to a one and one-fourth-inch pipe in concrete monument on the east boundary of parcel 1 the coordinates of said point of the end of this six-foot right-of-way referred to Government Triangulation Station "Lae-O-Kanoni" being four thousand one hundred eighty-two and four-tenths feet south and three thousand seven hundred thirty-nine and four-tenths feet east.

Area, one and two one-hundredths acres.

#### PARCEL 3

Being portion of L. C. Aw. 8521-B to G. D. Hueu, being portion of the Ahupuaa of Kiilae.

Beginning at a one and one-half-inch pipe in concrete monument called "Kalani" at the northeast corner of this parcel, the southeast corner of parcel 1, on the common boundary of the land of Keokea and Kiilae, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Lae-O-Kanoni" being seven thousand four hundred forty-four and eight-tenths feet south and five thousand three and two-tenths feet east and running by azimuths measured clockwise from true south:

1. Three hundred thirty eight degrees forty-nine minutes thirty seconds five hundred ninety-five and four-tenths feet along the remainder of L. C. Aw. 8521-B to G. D. Hueu to the eight thousand foot south coordinates line referred to Government Survey Triangulation Station "Lae-O-Kanoni";

2. Ninety degrees no minutes one thousand ninety-nine and seven-tenths feet along same and along said eight thousand foot south coordinates line and across school grant 7 Apana 6 to high-water mark;

3. Thence along high-water mark, along sea, the direct azimuth and distance being: two hundred six degrees thirty-three minutes thirty seconds four hundred eighty-two and nine-tenths feet;

4. Two hundred fifty-nine degrees thirty-three minutes fifteen seconds six hundred eighty feet along L. C. Aw. 7712:1 to M. Kekuanaoa and passing over a rock called Kuwala, marked K+K at six and eight-tenths feet to the point of beginning.

Area, ten and twenty-five one-hundredths acres.

SEC. 2. Upon the vesting of title in the United States to such lands as may be designated by the Secretary of the Interior as necessary and suitable for historical park purposes in accordance with the provisions of section 1 of this act, the City of Refuge National Historical Park shall be established by order of the said Secretary, which shall be published in the Federal Register. Any other lands within the area described above

shall become a part of the national historical park upon the vesting of title thereto in the United States and upon publication of an appropriate supplemental order by the said Secretary in the Federal Register.

SEC. 3. The Secretary of the Interior is authorized to procure, by donation or purchase, with any funds that may be available for that purpose, lands and interests in lands which may be needed for the City of Refuge National Historical Park within the area described in section 1 hereof.

SEC. 4. In order to cooperate with the Secretary of the Interior in consolidating in Federal ownership lands within the area described above, and to facilitate acquisition of the lands needed for the national historical park, the Governor of the Territory of Hawaii is also authorized to acquire lands for said park, at the expense of the Territory of Hawaii by exchange or otherwise, in accordance with procedure prescribed by the act of February 27, 1920 (41 Stat. 452).

SEC. 5. The City of Refuge National Historical Park shall be administered by the Secretary of the Interior subject to the provisions of the act of August 25, 1916 (39 Stat. 535; 16 U. S. C., 1946 edition, secs. 1-4), as amended and supplemented, and such additional authority compatible therewith as is contained in the act of August 21, 1935 (49 Stat. 666; 16 U. S. C., 1946 edition, secs. 461-467), with regard to preservation of historic sites and objects of national significance.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ELIMINATION OF LIMITATIONS ON RURAL ELECTRIFICATION LOAN FUNDS

The Clerk called the bill (H. R. 5376) to amend the Rural Electrification Act of 1936, as amended.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

#### BULK PURCHASE OF FEDERAL FARM MORTGAGE CORPORATION ASSETS BY FEDERAL LAND BANKS

The Clerk called the bill (S. 941) to amend section 13 of the Federal Farm Loan Act, as amended, to authorize the Federal land banks to purchase certain remaining assets of the Federal Farm Mortgage Corporation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I would like to ask some member of the committee if the conditions under which the assets of the Federal Farm Mortgage Corporation can be purchased have been set out? If there is no one present to answer the question, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.



# RELIEF OF JEFFERSON AND PLAQUEMINES DRAINAGE DISTRICT, LOUISIANA

The Clerk called the bill (H. R. 1768) for the relief of the Jefferson and Plaquemines Drainage District and certain persons whose properties abut on the Federal Government's right-of-way for Harvey Canal in Louisiana.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

# SUBPENA POWER FOR COMMODITY EXCHANGE AUTHORITY

The Clerk called the bill (H. R. 4514) to strengthen the investigation provisions of the Commodity Exchange Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I would like to ask some Member certain questions about this bill. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

# MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1955

The Clerk called the bill (H. R. 5650) to provide for the settlement of claims of military personnel and civilian employees of the Federal Government for damage to, or loss, destruction, capture, or abandonment of, personal property occurring incident to their service, and for other purposes.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that this bill, H. R. 5650, be recommended to the Committee on the Judiciary for further study.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

# AUTHORIZING SETTLEMENT OF CLAIMS OF PATIENTS

The Clerk called the bill (H. R. 5787) to authorize settlement of claims for residential structures heretofore erected at the expense of patients on the grounds of the Public Health Service hospital, Carville, La.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That there is hereby authorized to be appropriated for the fiscal year ending June 30, 1956, not to exceed \$25,000 to enable the Secretary of Health, Education, and Welfare to settle or compromise all claims by various persons of right or title to or interest in certain structures (including furniture and fixtures therein) which were erected prior to January 1, 1954, by patients of the Public Health Service hospital at Carville, La., at their own expense on the grounds of the hospital.

Such claims may be settled or compromised, with the approval of the Administrator of General Services, for such amounts as may be arrived at by agreement between the Secretary and the persons claiming such right, title, or interest. Nothing in this act shall effect the authority of the Attorney General to conduct litigation affecting the United States, and no funds available for purposes of this act shall be available for paying any judgment or settlement arising out of any such litigation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

# AMENDING SECTION 1721, TITLE 18, UNITED STATES CODE

The Clerk called the bill (H. R. 5417) to amend section 1721, title 18, United States Code, relating to the sale or pledge of postage stamps.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 1721, title 18, United States Code, is hereby amended to read as follows:

## "§ 1721. Sale or pledge of stamps

"Whoever, being a postmaster or postal service employee, knowingly and willfully; uses or disposes of postage stamps, stamped envelopes, or postal cards entrusted to his care or custody in the payment of debts, or in the purchase of merchandise or other salable articles, or pledges or hypothecates the same or sells or disposes of them except for cash; or sells or disposes of postage stamps or postal cards for any larger or less sum than the values indicated on their faces; or sells or disposes of stamped envelopes for a larger or less sum than is charged therefor by the Post Office Department for like quantities; or sells or disposes of postage stamps, stamped envelopes, or postal cards at any point or place outside of the delivery of the office where such postmaster or other person is employed; or for the purpose of increasing the emoluments, or compensation of the postmaster or any employee of a post office or station or branch thereof, inflates or induces the inflation of the receipts of any post office or any station or branch thereof; or sells or disposes of postage stamps, stamped envelopes, or postal cards, otherwise than as provided by law or the regulations of the Post Office Department; shall be fined not more than \$500 or imprisoned not more than 1 year, or both."

With the following committee amendment:

Page 1, line 7, strike out "willfully" and insert "willfully:".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

# LOWERING LIGHTHOUSE SERVICE RETIREMENT AGE

The Clerk called the bill (H. R. 3399) to lower the age requirements with respect to optional retirement of persons serving in the Coast Guard who served in the former lighthouse service.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

# AUTHORIZE EARLY COAST GUARD DISCHARGES

The Clerk called the bill (H. R. 5224) to amend title 14, United States Code, entitled "Coast Guard," to authorize certain early discharges of enlisted personnel.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the analysis of chapter 11 of title 14, United States Code, is amended by inserting following and underneath item 369 in such analysis, the following item:

"370. Discharge within 3 months before expiration of enlistment."

Sec. 2. Chapter 11 of title 14, United States Code, is amended by inserting, immediately following section 369 thereof, a new section, as follows:

"§ 370. Discharge within 3 months before expiration of enlistment.

"Under regulations prescribed by the Secretary, any enlisted man may be discharged at any time within 3 months before the expiration of his term of enlistment or extended enlistment without prejudice to any right, privilege, or benefit that he would have received, except pay and allowances for the unexpired period not served, or to which he would thereafter become entitled, had he served his full term of enlistment or extended enlistment."

The bill was ordered to be engrossed and read a third time, and was read the third time.

The title was amended so as to read: "A bill to amend title 14, United States Code, entitled 'Coast Guard', to authorize certain early discharges of enlisted personnel, and preserve their rights, privileges, and benefits."

A motion to reconsider was laid on the table.

# RETIREMENT OF CERTAIN OFFICERS IN COAST GUARD

The Clerk called the bill (H. R. 5875) to amend title 14, United States Code, entitled "Coast Guard," for the purpose of providing involuntary retirement of certain officers, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, I would like to inquire of the author of this bill or some member of the committee in reference to it.

Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

# INCORPORATION OF ARMY AND NAVY LEGION OF VALOR

The Clerk called the bill (H. R. 8786) to authorize the incorporation of Army and Navy Legion of Valor of the United States of America.







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued June 8, 1955

For actions of June 7, 1955

84th-1st, No. 94

OFFICE OF BUDGET AND FINANCE  
(For Department Staff Only)

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HIGHLIGHTS: Senate passed housing bill. House passed bill to give CEA subpoena power, and a measure for USDA study of tobacco controls. Both are ready for President. House passed bill to prohibit USDA prediction of apple prices.

## HOUSE

1. POSTAL PAY. Passed with amendments S. 2061, which would increase the basic rate of compensation for certain field employees of the Post Office Department (pp. 6614-36).
2. CEA. Passed without amendment S. 1398 (in lieu of H. R. 4514), to give subpoena powers to the Commodity Exchange Authority (p. 6640). This bill is now ready for the President.
3. LANDS. Passed without amendment S. 998 (in lieu of H. R. 1762), to transfer certain ARS lands to the city of Woodward, Okla (p. 6660). This bill is now ready for the President.

Passed without amendment S. 265, to amend the acts authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such acts to 320 acres (p. 6645). This bill is now ready for the President.

Passed without amendment H. R. 4894, which would repeal certain obsolete laws relating to disposals of land under the timber and stone laws (p. 6645).

The Committee on Interior and Insular Affairs ordered re-referred to the Subcommittee on Public Lands S. 1529, to extend the boundaries of the Theodore Roosevelt Memorial Park, N. Dak. (p. D518).
4. TOBACCO. Passed without amendment S. J. Res. 60, to authorize a study and report by the Secretary of Agriculture on burley tobacco marketing controls (p. 6642). This measure is now ready for the resident.

5. APPLES. Passed as reported H. R. 5188, which would prohibit publication by the USDA of any prediction with respect to apple prices (p. 6642).
6. WATER COMPACTS. Passed with amendments H. R. 3587, which would authorize the negotiation of a compact between Oregon and California for the use of waters of the Klamath River (p. 6649).
7. TRADE. The Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and the House-passed versions of H. R. 1, to extend the authority of the President to enter into trade agreements (p. D519).

#### SENATE

8. HOUSING. Passed, 60 to 25, with amendments S. 2126, the housing bill (pp. 6570-85, 6588-91, 6597-6608). Adopted a Sparkman amendment authorizing the farm housing loans to be made on an insured basis (pp. 6603-4).

Title VI of the bill provides as follows: Extends the existing program under Title V of the Housing Act of 1949 and retains the definition of a farm now included in that Act. Authorizes an additional \$100 million for farm loans authorized to be made on adequate farms, an additional \$2 million to permit the payment of annual contributions made in connection with loans on potentially adequate farms, and an additional \$10 million for special grants and loans required to make farm housing safe and sanitary. The new provisions also include a new insuring authority under title V of the Housing Act of 1949 and set the interest rate on insured loans at not to exceed  $4\frac{1}{2}\%$ .

Title V of the bill authorizes HEW to undertake a research program to determine the causes and effects of air pollution, to develop devices and industrial methods for preventing and eliminating air pollution, and to provide guidance and assistance to States and local communities to prevent and control air pollution. Authorizes HEW to enter into research contracts with, or make research grants to, State and local public agencies, and educational institutions, and to enter into arrangements with industries and private organizations for cooperative studies. Authorizes Housing and Home Finance Agency to provide financial assistance to business enterprises to purchase or construct equipment to reduce the amount of air pollution in the area where the equipment is installed.
9. FARM LOANS. Concurred in House amendments to S. 654, providing for additional direct loans for the purchase of farms by veterans under the Veterans' Readjustment Act (pp. 6587-8). This bill will now be sent to the President.
10. LANDS. The Interior and Insular Affairs Committee reported without amendment S. 1878, to amend the act authorizing the conveyance of certain ARS lands to Miles City, Mont., in order to extend for 5 years the authority under such act (S. Rept. 499) (p. 6561).
11. LABOR STANDARDS. The Labor and Public Welfare Committee reported without amendment an original bill, S. 2168, to amend the Fair Labor Standards Act of 1938, in order to increase the national minimum wage (S. Rept. 498) (pp. 6561, 6608).
12. POSTAL PAY. Concurred in House amendments to S. 2061, the postal pay bill (pp. 6585-7). This bill will now be sent to the President.
13. COPPER. Discussed H. R. 5695, to continue until June 30, 1958, the suspension of certain import taxes on copper (p. 6608). This bill was made the unfinished business (p. 6611).



the eternal, God-given principles of human liberty.

It is appropriate that we should congratulate Poland and the Polish people today but it is even more appropriate that we should pledge to them and to all small nations now suffering under the lash of tyranny that we fearlessly and unequivocally stand for their liberation. If the free world intends to preserve its freedom, it can afford to lose no more time shadow-boxing with the grave issues of survival underlying current world politics. The Soviet must realize sooner or later, and it may as well be now, that this Nation will never yield to domination and will never be terrorized or intimidated by armed aggression, by subtle conspiracy or by threats of atomic destruction.

The decision for war or peace lies not with us, but with the Soviet. Peace can be theirs for the asking once they manifest a sincere, honest purpose to abandon their nefarious aims to conquer the world for their slave police state, once that they demonstrate in concrete and practical ways their intention to abandon oppression of their fellow men and nations and walk in the ways of a just peace.

Let the sons and daughters of noble Poland continue to be strong and unyielding in their faith in God and their faith in liberty. Let them be assured that this great Nation, born in travail, struggle and sacrifice, founded in freedom and justice, will ever stand by their side, will extend them a helping hand in throwing off the chains of Marxist slavery.

When the wrongs of Poland and other free nations have been righted in the councils and tribunals of nations, when oppression is ended and tyranny banished, the dove of peace will again find welcome in the world. Then and not until then will we enjoy the fruits of universal disarmament and good will and a world devoted to human brotherhood and progress through freedom and justice.

#### ANNOUNCEMENT

(Mr. HIESTAND asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HIESTAND. Mr. Speaker, Members of this body and their families are invited to participate in a rare treat.

The musical play, *The Vanishing Island*, is being performed for their benefit Tuesday and Wednesday evening of this week at 8 at the National Theater. You are invited to be the guests of Moral Re-Armament, a nonsectarian, worldwide, ideological movement that millions of people now believe will be the determining factor in the struggle for the minds of men.

I have seen this play and, I assure you, in addition to the message it carries, it is a most delightful, captivating, and altogether satisfying play. Having had the aid of the top professionals of Hollywood in its production, it is truly a professional production, plus that extra something that can only come from inspiration.

May I respectfully urge that every Member of this body, regardless of what other engagements you have for either Tuesday or Wednesday evenings, make it a point to see this musical play, *The Vanishing Island*, at the National Theater, and bring your families, without charge.

Thursday the troupe leaves for Japan, at the express invitation of Premier Hatoyama, for production in Tokyo. From there it will have successive runs in the Philippines, Formosa, Thailand, Indonesia, Pakistan, Ceylon, India, Iraq, Iran, Egypt, Turkey, Greece, and will wind up its world tour at Caux, Switzerland, on September 1.

This is your last chance to see and enjoy this captivating play, at least until next year, if then. Do not miss it. I urge you.

#### DELETION

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to delete certain matter from remarks I made in the House appearing in the CONGRESSIONAL RECORD of May 18, page 5589.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CONSENT CALENDAR

The SPEAKER pro tempore (Mr. MILLS). This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

#### PENSION FOR MEDAL-OF-HONOR HOLDERS

The Clerk called the bill (H. R. 735) to increase the rate of special pension payable to certain persons awarded the Medal of Honor.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### APPOINTMENT OF CONGRESSIONAL DELEGATION TO ATTEND NORTH ATLANTIC TREATY ORGANIZATION PARLIAMENTARY CONFERENCE

The Clerk called House Concurrent Resolution 109.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

#### INCREASING THE FEE FOR EXECUTING AN APPLICATION FOR A PASSPORT FROM \$1 TO \$3

The Clerk called the bill (H. R. 5844) to increase the fee for executing an application for a passport from \$1 to \$3.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, a colleague has requested that I have this bill passed over without prejudice. I therefore withdraw my reservation of objection and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CONSTITUTIONAL CONVENTION IN ALASKA

The Clerk called the bill (H. R. 5166) relating to a constitutional convention in Alaska.

Messrs. CUNNINGHAM, DEANE, and ASPINALL objected.

#### JEFFERSON AND PLAQUEMINES DRAINAGE DISTRICT, LOUISIANA

The Clerk called the bill (H. R. 1768) for the relief of the Jefferson and Plaquemines Drainage District and certain persons whose properties abut on the Federal Government's right-of-way for Harvey Canal in Louisiana.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That jurisdiction is hereby conferred on the Court of Claims to hear, determine, and render judgment fixing the boundary between the east right-of-way line for Harvey Canal (a segment of the Intracoastal Canal in Louisiana), south of the 80-arpent line, and abutting properties and the easement, servitude, and right of use for levee purposes adjacent to said right-of-way line, claimed by the Jefferson and Plaquemines Drainage District, and which said right-of-way was conveyed to the United States by act of sale from Harvey Canal Land & Improvement Co. on March 10, 1924, and registered in the records of the parish of Jefferson, State of Louisiana, on March 10, 1924, in conveyance book 61, folio 443. In the determination of such matter all defenses of the United States based upon laches, lapses of time, statutes of limitation, prescriptive periods, and estoppel arising out of the issuance of permits for any activities or constructions along said Harvey Canal, are hereby waived.

SEC. 2. Such suit may be instituted at any time within 1 year after the enactment of this act by Jefferson and Plaquemines Drainage District and/or any of said abutting property owners, and any of said other parties may join or intervene in such action. Nothing in this act shall be construed as an implication of liability on the part of the United States.

With the following committee amendments:

Page 1, line 3, strike out "Court of Claims", and insert in lieu thereof "United States District Court for the Eastern District of Louisiana, New Orleans Division."

Page 2, line 14, after the name "District", strike out "and/".

Page 2, line 18, after the period, insert:

"SEC. 3. No monetary benefits or claims against the United States shall accrue as a result of the determination of the said boundary under this act."

The committee amendments were agreed to.



The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Do not three objections take a bill from the Consent Calendar?

The SPEAKER pro tempore. Not the first time the bill is called from the Consent Calendar. The Clerk will call the next bill.

#### SUBPENA POWER FOR COMMODITY EXCHANGE AUTHORITY

The Clerk called the bill (H. R. 4514) to strengthen the investigation provisions of the Commodity Exchange Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that the bill (S. 1398) be substituted for the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the third sentence of section 6 (b) of the Commodity Exchange Act (7 U. S. C. 15) is amended to read as follows: "For the purpose of securing effective enforcement of the provisions of this act, and for the purpose of any investigation or proceeding under this act, the provisions including penalties, of the Interstate Commerce Act, as amended and supplemented (49 U. S. C. 12, 46, 47, 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture (or any person designated by him), the commission, and any referee designated pursuant to the provisions of this act, and to any person subject thereto."

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 4514) was laid on the table.

A motion to reconsider was laid on the table.

#### LOWERING LIGHTHOUSE SERVICE RETIREMENT AGE

The Clerk called the bill (H. R. 3399) to lower the age requirements with respect to optional retirement of persons serving in the Coast Guard who served in the former Lighthouse Service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that a similar Senate bill—S. 1419—be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That section 6 of the act entitled "An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes," approved June 20, 1918, as amended (33 U. S. C., sec. 763), is amended by striking out "who shall have reached the age of 65 years, after having been 30 years in the active service of the Government," and inserting in lieu thereof the following: "who (1) shall have reached the age of 60 years, after having been 30 years in the active service of the Government, or (2) shall have reached the age of 62 years, after having been 25 years in the active service of the Government."

SEC. 2. This act shall take effect on the first day of the second month beginning after the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3399) was laid on the table.

#### RETIREMENT OF CERTAIN OFFICERS IN COAST GUARD

The Clerk called the bill (H. R. 5875) to amend title 14, United States Code, entitled "Coast Guard," for the purpose of providing involuntary retirement of certain officers, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That chapter 11 of title 14 of the United States Code is amended by—

(1) inserting, in the analysis thereto after item 244 the following:

"245. Repealed.

"246. Repealed.

"247. Rear admirals; involuntary retirement; retention on the active list.

"248. Captains; retention on the active list; involuntary retirement."

and

(2) inserting, immediately after section 244 thereof, the following new sections:

"§ 247. Rear admirals; involuntary retirement; retention on the active list

"(a) Any rear admiral, unless retired under some other provision of law or retained on the active list under subsection (b) of this section, shall be placed on the retired list on June 30 of the fiscal year in which he completes a total of 7 years of service in the permanent grade of rear admiral or a total of 35 years of active commissioned service, including service creditable for retirement purposes under sections 432, 433, and 434 of this title.

"(b) Notwithstanding subsection (a) of this section, the Commandant, with the approval of the Secretary, may by annual action retain on the active list from fiscal year to fiscal year any rear admiral who would otherwise be retired under subsection (a). A rear admiral so retained, unless retired under some other provision of law, shall be placed on the retired list on June 30 of that fiscal year in which no action is taken to further retain him under this subsection.

"(c) Subsections (a) and (b) of this section do not apply to any officer serving as Commandant, Assistant Commandant, or Engineer-in-Chief. However, time served

in any of those offices shall be included in any computation made under subsection (a) after the officer has vacated the office.

"§ 248. Captains; retention on the active list; involuntary retirement

"(a) The Secretary shall convene annually during January a board consisting of not less than five commissioned officers of the grade of rear admiral. The board shall consider for retention on the active list, and shall select for retention on the active list 75 percent of, all captains who have completed or who during the fiscal year in which the board meets will complete, a total of 8 or more years of service, whether permanent or temporary, in the grade of captain, and a total of 30 or more years of active commissioned service, including service creditable for retirement purposes under sections 432, 433, and 434 of this title. When a final fraction occurs in any computation made of the number of captains to be retained under this section, the nearest whole number shall be taken, and if the fraction be one-half, the next highest whole number shall be taken.

"(b) Any captain who is considered by the board and is not selected for retention under subsection (a) of this section, unless retired under some other provision of law or retained on the active list under subsection (c) of this section, shall be placed on the retired list on June 30 of the fiscal year in which considered by the board.

"(c) Notwithstanding subsection (b) of this section, the Commandant, with the approval of the Secretary, may by annual action retain on the active list from fiscal year to fiscal year any captain who would otherwise be retired under subsection (b). A captain so retained shall not be considered for retention on the active list by any subsequent board convened under subsection (a) of this section, and, unless retired under some other provision of law, shall be placed on the retired list on June 30 of that fiscal year in which no action is taken to further retain him under this subsection."

SEC. 2. This act shall become effective on July 1, 1955.

With the following committee amendments:

On page 2, line 5, delete the words "shall be placed on the retired list" and insert in lieu thereof "shall be retired."

On page 2, lines 16 and 17, delete the words "shall be placed on the retired list" and insert in lieu thereof "shall be retired."

On page 3, lines 21 and 22, delete the words "shall be placed on the retired list" and insert in lieu thereof "shall be retired."

On page 4, lines 6 and 7, delete the words "shall be placed on the retired list" and insert in lieu thereof "shall be retired."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SALE OF LAND TO THE CITY OF WOODWARD, OKLA.

The Clerk called the bill (H. R. 1762) to provide for the conveyance of certain lands by the United States to the city of Woodward, Okla.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.







Public Law 82 - 84th Congress  
Chapter 151 - 1st Session  
S. 1398

AN ACT

All 69 Stat. 160.

To strengthen the investigation provisions of the Commodity Exchange Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third sentence of section 6 (b) of the Commodity Exchange Act (7 U. S. C. 15) is amended to read as follows: "For the purpose of securing effective enforcement of the provisions of this Act, and for the purpose of any investigation or proceeding under this Act, the provisions, including penalties, of the Interstate Commerce Act, as amended and supplemented (49 U. S. C. 12, 46, 47, 48), relating to the attendance and testimony of witnesses, the production of documentary evidence, and the immunity of witnesses, are made applicable to the power, jurisdiction, and authority of the Secretary of Agriculture (or any person designated by him), the commission, and any referee designated pursuant to the provisions of this Act, and to any person subject thereto."

Commodity Exchange Act, amendment.  
42 Stat. 1002.

Approved June 16, 1955.

